

## Written Statement of

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Hearing  
“Eleven Years After 9/11: Can TSA Evolve To Meet the Next Terrorist Threat?”  
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### **A. Introduction**

Chairman Rogers, Ranking Member Jackson Lee, Members of the subcommittee, thank you very much for this opportunity to appear before you on this solemn anniversary day. My name is Sam Gilliland, and I serve as Chairman and Chief Executive Officer of Sabre Holdings, one of the nation's and the world's leading travel technology companies. First and foremost, on the 11<sup>th</sup> anniversary of the horrible tragedy of September 11, we must pay tribute to all families who lost loved ones, friends and relatives. We must also honor the first responders, good Samaritans, and others who helped in the immediate aftermath of the attacks on the United States, as well as those who helped get our country back on its feet economically. In their honor and for the sake of the continued well-being of our nation, we must do all we reasonably can to protect ourselves from future attacks, while not deterring law abiding, freedom loving citizens from traveling.

Our country is becoming stronger, more secure, and more resilient through our dedication to creating the best aviation security system in the world. And it's frankly most encouraging that the TSA and private sector leaders are striving and increasingly working together to create a system that strikes the right balance between security and facilitation. So in that spirit, I'm pleased to provide an update on the recommendations of the U.S. Travel Association's blue ribbon panel on aviation security released last year. I had the honor of co-chairing this panel with former Department of Homeland Security Secretary Tom Ridge and the former Ranking Member of this Committee, Representative Jim Turner. The panel included over a dozen experts with significant expertise in aviation, security, economics, and privacy.

Our report, entitled “A Better Way: Building a World-Class System for Aviation Security,” was released on March 16, 2011. The goals of our panel were simple – we set out to develop recommendations that would:

1. Improve the TSA checkpoint by increasing efficiency, decreasing passenger wait times and screening passengers based on risk;
2. Generate greater governmental efficiency and cooperation in executing its security responsibilities; and

3. Restructure America's national approach to aviation security by developing and using risk management methods and tools.

With these three goals in mind, the panel set forth a series of detailed recommendations. Today, I will provide an overview of those recommendations, an assessment of progress made on the key recommendations, and thoughts on the path forward for those that remain works in progress.

Overall, TSA has made good progress on a number of the recommendations by the blue ribbon panel. TSA's risk based security initiative, for example, implements one of the major goals of our panel and demonstrates a new willingness by the government to identify low risk populations and provide them with an improved screening experience. The re-establishment of the Aviation Security Advisory Committee is also a positive step toward engaging a broader community of experts to advise TSA on issues critical to the traveling public. At the same time, there is much work to be done in areas like long term budgeting and planning, utilization of secure identity documents and elimination of redundancy with other government agencies.

## **B. Review of TSA Progress against Blue Ribbon Panel Recommendations**

### **Recommendation 1: IMPROVE THE TSA CHECKPOINT BY INCREASING EFFICIENCY, DECREASING PASSENGER WAIT TIMES AND SCREENING PASSENGERS BASED ON RISK**

***Implement a risk-based Trusted Traveler program. Congress should authorize TSA to implement a new, voluntary, Trusted Traveler program that utilizes a risk-based approach to checkpoint screening, with the goal of refocusing resources on the highest risk passengers.***

Progress: On this first recommendation, TSA has made its most visible progress through implementation of a trusted traveler program. Six months after the publication of our report, TSA launched the TSA Pre✓™ program on a pilot basis on October 4, 2011. The pilot has expanded from an initial limited partnership with two carriers within specific terminals in four airports to a full network of specific terminals at 22 airports and five airlines partners.<sup>1</sup> Dulles Airport here in the Washington area is scheduled to significantly expand Pre✓™ on September 25; I am hopeful that many of the Members of this committee will have the opportunity to visit the airport and see how travelers move through the security checkpoint with laptops and liquids in their bags; shoes, belts, and jackets on; and hands by their sides instead of over their heads. Customers are extremely supportive of the program, as they have used Pre✓™ over 2 million times to date, according to data from TSA. The pilot program now underway includes

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<sup>1</sup> According to TSA's website, Pre✓™ exists at specific terminals in the following airports: Charlotte Douglas, Chicago O'Hare, Cincinnati/Northern Kentucky, Dallas/Ft. Worth, Detroit, Dulles, George Bush Intercontinental, Hartsfield Jackson Atlanta, Indianapolis, John F. Kennedy, LaGuardia, Lambert-St. Louis, Las Vegas McCarran, Logan, Los Angeles, Miami, Minneapolis-St. Paul, Newark, Orlando, Philadelphia, Phoenix, Portland, Ronald Reagan, Salt Lake, Seattle-Tacoma, and Tampa. The 5 airlines participating in Pre✓™ at these locations are: Alaska, American, Delta, United and U.S. Airways.

many elements of the blue ribbon panel proposal, including the offering of Pre✓™ benefits to U.S. Customs and Border Protection's Global Entry international trusted traveler program<sup>2</sup> members, airline frequent flyer program members, and other vetted populations such as active duty military.

Next Steps: While clearly Pre✓™ is a major step forward, and one that deserves high praise from all industry stakeholders, we believe there are millions more low risk travelers who could and should be enjoying expedited access through our nation's aviation security system if TSA and the broader travel and tourism community purposefully worked together to expand it.

To achieve this, we believe that TSA and the travel community must work together to improve and expand Pre✓™ in a number of ways, including:

1. Facilitating interoperability among carriers so that a traveler identified as "low risk" by one airline can also be recognized as a low risk traveler on all other airlines. Interoperability was a key requirement of the private-sector-run registered traveler program that existed at 19 airports until July of 2009 and should be a core part of an expanded Pre✓™ effort.
2. Increasing enrollment opportunities through partnerships with a range of organizations that can bring massive numbers of low-risk travelers into the program. Today, TSA follows two paths to enroll members in Pre✓™. The most well-known approach is one where TSA teams with specific airlines to enroll their most frequent travelers. TSA is also continuing to identify communities of other low-risk individuals— most recently federal judges and members of the intelligence community with security clearances – to enroll in Pre✓™. However, enrolling these limited populations will not rapidly grow this program to the size it should be. The number of low risk travelers who would be willing to voluntarily provide additional information for a better aviation security experience, is, we believe, quite large. Opening up alternative enrollment mechanisms through new TSA agreements with hotel loyalty programs, frequent car rental programs, travel agencies, and companies like the reorganized Clear (which offers private-sector run biometric enrollment for travelers who seek an expedited security checkpoint experience), are all examples of how we might enroll low-risk travelers in Pre✓™. These are also all ideas that would significantly increase the size of this program within TSA's risk-based screening framework.
3. Improving Pre✓™ promotional materials by bringing private sector marketing and communications expertise to bear. Today's Pre✓™ materials are sufficient for the limited populations now being offered access to this program. However, if TSA opens up the program along the lines we have outlined above, then it should engage marketing and communications experts at some of our nation's leading travel and tourism companies to improve the materials in existence today. As a member of the President's Management Advisory Board, I have been part of numerous discussions on how the public and private sectors can join forces to achieve shared goals. This effort is a prime

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<sup>2</sup> Global Entry is a U.S. Customs and Border Protection (CBP) program that allows expedited clearance for pre-approved, low-risk travelers upon arrival in the United States.

example of an area where the private sector's marketing skills could be used for the government's benefit.

4. Improving communication with the traveling public to provide clear Pre✓™ usage requirements. TSA and the travel community would both benefit from stronger partnerships to make sure travelers understand how to use Pre✓™. Again, assuming that the growth recommendations outlined above would be adopted, communication with travelers would need to be substantially improved so that individuals understand what to expect when entering a Pre✓™ lane at a Pre✓™ airport terminal. Clearly communicating all of the requirements beforehand would also prevent confusion and frustration when a traveler is denied Pre✓™ benefits.
5. Working with airlines to standardize Pre✓™ verbiage. Today's airline-centric Pre✓™ model does not provide that all participating airlines communicate with customers on program benefits or eligibility in a standardized manner. As a result, there is significant potential for traveler confusion when traveling on different airlines. Providing consistent and predictable communication among all airlines would help eliminate any potential confusion within the traveling public.
6. Working with airlines to create a consistent level of Pre✓™ training. Given that so much of the current Pre✓™ program is in the hands of the airlines, it would be useful for TSA to expect that all participating airlines provide appropriate employees with a standard level of training on the program so that they consistently communicate the program's attributes, offer enrollment to the eligible population of travelers, and can adequately address Pre✓™ related questions from the traveling public.
7. Working with Online Travel Agents (OTAs) to accept Global Entry PASS ID numbers during the booking process. Currently, Global Entry members who use OTA's to book flights may not have their CBP-issued PASS ID included in their reservation that is forwarded to the carrier, and thus may not be able to utilize Pre✓™ for flights booked in this manner.
8. Expanding Pre✓™ usage beyond domestic flights and allowing international participation in the program. Today, Pre✓™ is only offered to individuals travelling purely domestically, not to those on outbound international flights or taking a domestic connection after an international flight. A low risk traveler should have the opportunity to utilize Pre✓™ for flights originating in the U.S.
9. Offering Pre✓™ eligibility to international members of Global Entry. Through the CBP Global Entry program, the U.S. has identified low risk travelers from other countries. Because these individuals are low risk from a CBP perspective, they should also be eligible to benefit from Pre✓™ when travelling within the United States.
10. Ensuring efficient use of dedicated lines and lanes as traffic increases. While no one would say that today's Pre✓™ lanes are overcrowded, implementation of any of the program growth initiatives outlined above would change that significantly. Therefore, planning should begin now so that as the Pre✓™ population grows, it grows along with TSA's capability of handling a larger number of participants in the program.

***Improve preparation of travelers. Industry stakeholders, including airlines, hotels, resort owners and operators, cruise lines, rental car agencies, travel agents and the like should work with TSA to improve their education and communication on security rules and regulations, targeting locations and sources that travelers are likely to review as they book or prepare for a trip.***

Progress: TSA has improved communications with industry sources to provide them with more information on programs such as TSA Pre✓™. Of note, TSA has developed promotional materials and worked with government partners, notably CBP and the Department of State, to disseminate information to the traveling public. Additionally, their rollout of a TSA dedicated smartphone app allows travelers find answers to TSA-related questions during the travel process.

Next Steps: Despite this progress, more improvement is necessary, as travelers continue to be frustrated by:

1. The lack of clear instructions on the regular (as opposed to Pre✓™) screening protocols (e.g., sometimes consumers are asked to put their shoes on the conveyor belt, other times in a bin; sometimes tablet computers are treated like laptops, other times like mobile phones; sometimes laptops are put in a bin alone, other times it is all right to include other items in that bin; occasionally consumers are asked to have a boarding pass in hand, other times they are not; and the ongoing confusion over whether or not duty free liquids of more than three ounces acquired abroad when connecting to a domestic flight are permitted in a carry on); and
2. The lack of easy to find and use contacts that consumers can reach for immediate answers to their travel security questions, including airport-specific information, airport specific phone lines or customer service agents at an airport.

TSA, airports and the airlines must continually collaborate to provide travelers with clear, concise, and consistent guidance on aviation security, including processes and procedures at the airport from curbside to boarding. A November 2011 survey by the U.S. Travel Association found that four out of five travelers are frustrated with the checkpoint process. While there are clearly a range of reasons for the frustration – long lines, travelers unsure of how to use the advanced imaging technology, families with lots of unwieldy gear – not understanding the aviation security process should not be one of the reasons once all parties in the security process are communicating effectively.

Additionally, commercial aviation stakeholders – hoteliers, cruise lines and rental car agencies, for example - should look for opportunities to provide their customers, members, and affiliates with information on enrollment for programs like Pre✓™ and Customs and Border Protection's international travel facilitation program called Global Entry in order to add more low-risk travelers to the programs, and allow TSA to focus its resources on higher risk travelers. In addition, as new programs or screening protocols are unveiled, organizations that can reach out

to significant numbers of travelers should work with the appropriate government agency to communicate the new processes to the traveling public.

## **Recommendation 2: IMPROVE GOVERNMENTAL EFFICIENCY AND COOPERATION IN THE EXECUTION OF ITS SECURITY RESPONSIBILITIES**

***Reinstitute the Aviation Security Advisory Committee. DHS should immediately reinstate and appoint the Aviation Security Advisory Committee (ASAC) to provide effective private sector input to DHS on aviation security within 180 days. DHS should also convene airport-specific working groups to identify and resolve problems affecting travelers at particular locations.***

Progress: On November 7, 2011, TSA officially reconstituted the ASAC and named 24 members to the committee. Since that time, the ASAC has held several full committee meetings, formed five subcommittees to examine specific issues, and will consider subcommittee recommendations in the near future. I am especially pleased that TSA named my friend and fellow panelist Geoff Freeman, Executive Vice President and Chief Operating Officer of the U.S. Travel Association, as Chair of the ASAC Subcommittee on Passenger Advocacy.

Next Steps: Now that passenger advocacy groups, including the U.S. Travel Association, have been brought into the ASAC process at the working group level, it is time to recognize the importance of such organizations and add them to the full membership of this Federal Advisory Committee. Adding U.S. Travel and others, such as the Consumer Travel Alliance, for example, would give the travel community a greater voice in the advisory committee. CBP and TSA also need to create a broader group of local airport-specific stakeholder groups, including relevant destination marketing organizations, to develop innovative solutions that can improve passenger processing and customer service at their airports.

***Facilitate non-partisan leadership of TSA. The TSA Administrator should be converted to a five-year position extending across presidential administrations to be filled by a non-partisan official with expertise in both security and facilitation.***

Progress: While the underlying statute creating the TSA envisions the Administrator position holding a five year term, there has not yet been effective implementation of this term appointment during a transition of Presidential leadership: at the end of the Bush Administration, former Administrator Kip Hawley resigned rather than continue into the Obama Administration. We understand that this issue has arisen recently before this committee, and that there has been discussion between the Chairman and the Ranking Member on the subject. We hope that bipartisan support for the TSA Administrator fulfilling a five-year term appointment will remain strong so that this critical organization can transition from Administration to Administration without the disruption of a confirmation process.

Next Steps: Aviation security and travel facilitation should not be partisan issues, and TSA can ill afford not having a confirmed head following a Presidential election as happened in 2009.

Thus, aviation stakeholders should encourage the incumbent or new Administration to commit to having TSA Administrator Pistole fulfill his five year term. Additionally, Congressional leaders should, on a bipartisan basis, consider whether a longer term, such as that held by the FBI Director, would provide necessary continuity at TSA.

***Develop a comprehensive technology procurement strategy. TSA, in collaboration with technology vendors and the travel community, should develop a comprehensive strategy for implementing necessary checkpoint technology capabilities. Congress should provide multi-year funding plans for TSA to execute this strategy.***

Progress: As this committee and others have noted in oversight hearings over the last several years, TSA has a checkered history in terms of deploying security technology. TSA priorities change with little notice, leaving frustrated vendors on the hook for time and resources spent in technology development. For example, deploying biometric card readers for the TSA Transportation Worker Identity Credential (TWIC) program, which provides biometrically enabled cards to qualified individuals who need unescorted access to the secure areas of ports, vessels, and facilities, has been unresolved for years, with vendors having technology approved but left waiting for the formal rulemaking process to conclude. At the request of TSA, vendors prioritized the development of bottled liquid scanners in response to a specific threat only to see the organization pull back from the broad deployment originally envisioned. The current Credential Authentication Technology-Boarding Pass Scanning System (CATBPSS) has been through multiple procurements over several years, and support for this program is still questioned by some. Meanwhile, travelers are left with little understanding of what technologies do, what the future looks like, and how security will be enhanced over time. Knowing all of this, in the FY12 DHS appropriations bill, Congress has established a requirement that all DHS components, including TSA, issue a Five Year Homeland Security Acquisition Plan. Unfortunately, TSA has yet to do so, and there are some indications are that the agency does not plan to comply with the mandate, citing ever-changing threat circumstances as factor that limits the organization's ability to plan for the long-term.

Next Steps: As any business leader knows, budgeting and planning are a necessary disciplines to set priorities and establish resource requirements. Uncertainty about the future is a given and changing priorities – and budget allocations - is in fact part of every manager's responsibility. Government budget experts also know this, and have, in departments including the Department of Defense, issued five year plans that signal what the agency believes the future holds so that others, including partners in the private sector, can plan accordingly. The homeland security apparatus of the government should similarly have the capability to issue five year plans. Indeed, I would argue that, given this tight budget environment, TSA's planning capabilities must improve, and the organization must more routinely and deeply engage technology vendors and travel community representatives. Engaging vendors before issuance of a request for proposals to discuss a security requirement, and possible solutions, should be the norm, not the exception. An open and transparent process to establish requirements and specifications should also be standard operating procedure – as opposed to the erratic, often

opaque, process in place today. Through better planning and more thorough engagement, TSA can better ensure that the industry develops and deploys more effective and traveler-accepted technology that addresses well-articulated requirements. Stronger collaboration between the government and private sector on acquisition related issues will drastically improve traveler facilitation and security, while providing significant cost savings.

***Encourage wider use of secure identification documents. Federal and state governments should embrace programs that build and deploy secure identification documents in order to provide higher-quality identity documents to the traveling public that meet government security requirements.***

Progress: A critical step in securing our country's commercial aviation system is ensuring the identity of individuals who travel on it. Today, the percentage of Americans holding a passport has reached an all-time high of 35%, according to the State Department. In addition, nearly all states have made significant improvements to the security of their identity documents in recent years, enhancing confidence that individuals holding an identity document are who they purport to be. Furthermore, U.S. Travel and several other stakeholders have submitted a proposal to TSA to leverage private sector investment in secure identification as an alternative enrollment mechanism for TSA Pre✓™.

Next Steps: Expanding the existence of secure identity documents should be a TSA priority. To that end, TSA should approve the use of secure private sector enrollment technologies for TSA Pre✓™ to leverage the biometric identity management systems in use today within the private sector. The new Clear company, with its biometric identity card, is one good example, particularly given that a security threat assessment is conducted in conjunction with card issuance.

***Reduce duplicative TSA screening for international arrivals. DHS should enable certain low-risk passengers who are traveling through a US gateway to another domestic airport to forego checked baggage and passenger screening upon landing in the U.S.***

Progress: The Fiscal Year 2012 DHS appropriations bill directed DHS to establish a pilot program to allow connecting passengers and their baggage to bypass baggage screening. In addition, the U.S.-Canada bilateral "Beyond the Border" action plan outlined a series of travel facilitation steps, including the end of rescreening of baggage from Canada under most circumstances by 2015 as Canada deploys baggage explosive detection systems.

Next Steps: CBP and TSA should complete the pilot described above and look to expand it to additional locations and populations. Furthermore, commercial aviation and travel interests should work with U.S. and Canadian authorities to move the "Beyond the Border" agenda forward, including the goal of baggage screening harmonization. Finally, legislative alternatives, including the No Hassle Flying Act, H.R. 6028, which streamlines baggage security processing



measures for international flights, should also be viewed as options to achieve this same goal. This bill is on the House suspension calendar this week.

***Expand trusted traveler programs to qualified international passengers. DHS should expand access to trusted traveler programs for international passengers entering the U.S., as well as lead efforts to establish a multinational network of streamlined entry procedures for low-risk travelers.***

Progress: CBP has made some progress in expanding access to Global Entry by launching pilot programs with the United Kingdom and Germany, and announcing agreements with South Korea and Singapore. Congress has supported Global Entry with funding and authorizing language, including requests to broaden enrollment to members of international organizations. In addition, Congress enacted legislation to allow the U.S. to participate in the APEC Business Travel Card (ABTC) program, which facilitates travel for business leaders in the 21 economies that make up the Asia Pacific Economic Cooperation Forum.

Next Steps: CBP should accelerate negotiations with foreign governments to expand access to Global Entry, work to reduce interview delays in enrollment locations, and implement the ABTC legislation by beginning to issue APEC Business Travel Cards to qualified business travelers. In addition, foreign members of Global Entry - such as those in the US-Canada NEXUS program - should be offered access to TSA Pre✓™.

***Eliminate duplication between TSA and Customs and Border Protection (CBP). DHS should streamline its operations at U.S. international airports to reduce unnecessary duplication and leverage CBP and TSA resources, authorities, and capabilities.***

Progress: Unfortunately, there has been no progress on this recommendation, despite the potential cost savings that could be realized from elimination of duplication between TSA and CBP.

Next Steps: Reducing unnecessary duplication and cutting government spending are two goals that every department and agency should be pursuing with all due haste in this time of fiscal discipline. However, as TSA and CBP have not yet tackled this recommendation, we would hope that perhaps this Committee could review programs in CBP and TSA that are duplicative, or might benefit from consolidation. This should start with both agencies jointly reviewing their staffing levels and schedules at international arrival airports. Unifying schedules so that there is optimal staffing based on flight arrivals should be the first priority, followed by an assessment of where cross-training of TSA and CBP officers might benefit the travelling public. Of course, in cases where programs seem duplicative but in fact a legitimate law enforcement or national security purpose is served through separation, we would not object. However, in this case, we believe a fresh set of eyes on the roles and responsibilities of CBP and TSA personnel at airports is merited, and we hope this committee would conduct such oversight.

***Push for international cooperation with U.S. security standards. The federal government must continue to push for international cooperation in the development of international aviation security, including both bilateral and multilateral approaches, as well as with organizations such as the International Civil Aviation Organization (ICAO), to strengthen aviation security efforts while promoting travel and protecting travelers' rights.***

Progress: Following a 2010 agreement by the International Civil Aviation Organization to strengthen aviation security, DHS has continued to work on a bilateral basis with countries such as Panama, El Salvador, Costa Rica, Guatemala, and Qatar to build capacity in the international aviation system for more consistent levels of screening and more standardized deployment of technology. In addition, in November of 2011, DHS and the European Union concluded negotiations on a revised Passenger Name Record treaty to allow for continued vetting of in-bound passengers from the EU. And recently, the U.S. and the European Union agreed to work together to harmonize the currently disparate approaches to the checkpoint screening of screening of liquids, aerosols and gels.

Next Steps: Two DHS programs that are global in nature – the Global Entry program and the Visa Waiver Program – merit expansion immediately, assuming the foreign partners commit to implementing the required improvements in security and law enforcement information sharing. In the House, the expansion of VWP is codified in the Jobs Originated through Launching Travel Act (JOLT Act), H.R. 5741 (S. 3199 in the Senate). We hope that Members of this subcommittee, and the full Committee, will take a look at this legislation and consider signing on as co-sponsors, and also encourage subcommittee Chair Miller to hold a hearing. In the liquids, aerosols and gels area inspection area, the U.S. and EU should make public their timelines and multi-year budgets for harmonizing the deployment of technology that will meet the new U.S.-EU requirements so that technology vendors are ready with equipment once the governments harmonize policy.

### **Recommendation 3: RESTRUCTURE OUR NATIONAL APPROACH TO AVIATION SECURITY BY DEVELOPING AND UTILIZING REAL RISK MANAGEMENT METHODS AND TOOLS**

Implement well-defined risk management processes. The Administration should convene an external panel of experts with appropriate security clearances to review TSA aviation security programs, assess the risk each is designed to mitigate and develop metrics for measuring progress to lessen that risk.

Progress: While an external panel of risk management experts has not been convened by TSA, we do believe that the Risk Based Screening initiative, which includes Pre✓™, is consistent with the spirit of this recommendation, which encouraged broader use risk management processes.

Next Steps: TSA's risk-based screening initiative and the revitalization of the Aviation Security Advisory Committee are hopeful signs that TSA is not only expanding its use of risk management, but also is more thoroughly engaging external travel and aviation experts from the private sector. We will watch the evolution of the various streams of ongoing aviation security and facilitation work to insure they stay grounded in solid risk management principles, and that external experts remain actively involved. Assuming that is the case, we will withhold seeking the explicit creation of a risk management experts group.

### **C. Conclusion**

Since the issuance of the blue ribbon panel report – and clearly, since September 11, 2001 – much has been done to improve aviation security. A new government agency, new technologies, and new approaches to security have all been brought to bear to employ all reasonable steps to insure that such a tragedy never strikes our country again. At the same time, we are just beginning, as a nation, to look at the other side of TSA's mission – travel facilitation. Many members of this committee are leading that effort, and we thank you for your commitment. The twin goals of security and facilitation must be effectively balanced to ensure that our country is both safe and prosperous.

In our estimation, TSA has made tremendous progress since its establishment, and recent efforts – including TSA's Risk Based Screening Initiative – hold much promise for the country and for the traveling public. We look forward to continuing our long-standing bipartisan work with this subcommittee to ensure we highlight opportunities for TSA to do more to facilitate commercial air travel, while maintaining security for all Americans.

Thank you for this opportunity to testify today, and I look forward to answering your questions.